1942 Legis 52-41 Serial No. 1

Previous references.

Legis
Legis 51-41-1

Later references.

~~Legis 52-42-1~~
Legis 39-42-1

PRESERVED

General and Revenue Secti

Office of the Secretary to the Representative Assembly and Legislative Council

---

SUBJECT.

Act No XX of 1942

The Mysore Military (Second Amendment) Act, 1

To: The comptroller Mysore gazette

No RL 2375-76 Legis 52-41-1 dated 27-4

directs the publication of the Act as Act I

XX of 1942

T. Venkatanarayana

2-5-1942

WD 04023—GPB—1,000- 12-9-41

Serial No.

From the C.C.M.S.T

Letter No. P.C. 322/41-2 d 9.9.41

Ref. for confirmation proceedings of a Summary Court Martial held for the trial of recruit Sreeramulu Naidu Suggests certain amendments to Sec 36 of Mysore Military Act & requests clarification in regard the powers exercised.

There being no specific provision in the Mysore Military Act for trial of persons by Summary Court Martial, the C.C. states that recruit Sreeramulu Naidu has been tried for desertion under the General provision of Section 36 of the Mily: Act. The Court has sentenced the accused to undergo Rigorous Imprisonment for one year with hard labour in civil custody & then discharged from Service. The C.C. (Reviewing Officer) has remitted 9 months of the Sentence & directed that 1 months R.I. be carried out in Military custody & the remaining 2 months to be suspended He has reserved the case for reconsideration on the 20th Sept 1941. The C.C. requests confirmation of the proceedings & their return before trial date.

2. The amendments proposed by the C.C. to the provision under Section 36 of the Mysore Military Act may perhaps be approved for reasons given.

NOTE—Contn. Sheet.

WD 03967—GPB—5,000—30-8-41

1340.

Proceedings of a Summary Court Martial

File No. Mdrs of 194

General and Revenue Secretariat

3 The C.C's request for the clarification of the question in regard to the exercise of powers as in Secn 102 of the Indian Army Act or to forward the proceedings with his orders thereon for confirmation by Govt as required in Section 63 of the Mysore Military Act in respect of the usual Court Martial is submitted for consideration.

L (Manual of Indian Military Law 1st print up.)

M

(4)
11/9/41 The orders of the Confirmation asked for may not be given in the first instance with the advice of the Law Dept & the amendment & clarification required separately. (The revised is dated 23.8.41 & the C.C. has asked for orders on 9th Sept.)

BK 11/9/41

Leg 11/9

General Rly)

GENERAL SECRETARIAT
11 SEP 1941
1383

5 The proceedings of the Court-martial may be confirmed.

6 The amendment proposed by the C.C may be accepted. The provision in Section 102 of the Indian Military Act is intended in an Act under which the C.C is empowered to exercise the powers of a Brigade Commander, and

1343

Proceedings of a Summary Court Martial

General and Revenue Secretariat | File No. Mily | of 194 | [App. F. III—2

Serial No.

am doubtful whether he could exercise the powers & remain:

(7) Dr Jawan & remarks.

(Law to see)

Law to note & comply

SECY. LAW DEPT. 11 SEP. 1941 GOVT OF MYSORE

11/9/41

GENL & REV. SECRETARIAT 12 SEP. 1941

Hm 2 11/9/41

3 12/9/41

Law 68. 41 12th Sept. 41 'E'

Polm 174-39.

(8) No doubt, according to the annexed Rule 36(2), we can follow the Rules of the Indian Army Act, so far as Summary procedure is adopted in Court-martial trials, because there is no provision in our Act in respect to Summary trials. So, under the Indian Army Act, the Officer commanding the Division or Brigade (others were left there) has power to set aside the proceedings, or reduce the Sentence, passed by the trial Court. In accordance with the principles of Sec 102 of the Indian Army Act, our Chief Commandant has reduced the Sentence from Year to 8 months R. I. [illegible] 9 It cannot be said that the Chief Commandant is less in Status to "the Officer Commanding the Division or Brigade" as specified in Sec 102 of the Indian Army Act. According to our

NOTE—Contn. Sheet.

WD 03967—GPB—5,000—30-8-41

Act the Chief Commandant is an "officer entrusted for the time being with the Command of the Defence Force." I, I feel, that as we can act under Rule 36(2), made in respect of Samoan Court Martial, in accordance with the terms set forth in the Indian Army Act; the Chief Commandant as has under Section 2, his power to reduce the sentence passed by the Court Martial Court. But, that power cannot be exercised by him in contravention to the Rules of our Act. Rule 36(2) clearly lays down that the Indian Army Act provisions can be followed in case "ordinary" or otherwise provided for in the Defence Relieving Act." So the Chief Commandant cannot exercise powers, which are not vested in him under our Act.

10 Now we have therefore to see if the reduction of sentence passed by him is in order or not? According to Rule 30(a)(P.11) of our Act the Chief Commandant cannot reduce any Samoan punishment made by the Commanding Officer. In this Case his punishment was given by the Commanding Officer & he has no power to reduce the sentence — but he can recommend reduction of sentence, & with the approval of Govt-in-Council can be

Serial No.

redressed. Thus, the wrongful C.C. restoring the sentence passed by the Commanding Officer without obtaining the approval of Govt is ultra vires.

11. As the only manner whereby Court Martial proceedings have to be sent to Govt by the Chief Commandant for confirmation, it is for Govt also have the power to confirm the sentence or order varied or order retrial.

12. In this case, the restoration of the sentence passed by the Chief Commandant may be construed as a recommendation for the restoration, the Govt may confirm the sentence as recommended by the Chief Commandant, but the Chief Commandant must be intimated that no one shall be competent to restore any sentence without obtaining the approval of Govt.

13. The amendments suggested by the C.C. on the order may be approved.

14. As re: Para 6 of P.O.D. the C.C. may be intimated that every Court Martial proceedings, including summary proceedings have to be sent to Govt for confirmation, if the finding that the sentence is too severe, he may recommend restoration, but the only other Govt approval the recommendation of the C.C. that the sentence can be restored is if an officer of the

NOTE—Contn. Sheet.

WD 01955—GPB—22,500—12-6-34

Proceedings of a Court-Martial 1577/41

C.M. 1343

File No. Mily of 193

General and Revenue Secretariat

Act

Kill these Rules as Chiefs, the C.C. cannot act in accordance with Sec 102 of the Indian Army Act
Gen Secy

3

13/9/41

(15) The Chief Commandant has no power to confirm or vary the sentence passed by the C.O. in Court martial proceedings, even though the trial be summary. He can only recommend to Govt for confirmation or reduction of sentence under R.30. The Govt can either confirm or reduce the sentence under R. 63.

(16) The act of C.C. may be construed as recommendation to Government and the reduction of the sentence may be confirmed by Government

(17) The amendments suggested by C.C may be approved

(18) I agree with the Gen Secy that the C.C cannot exercise powers under S. 102 of the Indian Army Act until our Act is amended

Gen Secy M.C.

Hm 16/9/41

(19) The Rules may be got printed early

Hm 16/9/41

GENERAL SECRET 16 SEP. 1941 1496

(20) Nil 17/9/41

(21) Order 17/9

1363

Proceedings of a Court-Martial

General and Revenue Secretariat | File No. Mily | of 194 . . | [App. F. III—2

Serial No.

21 Draft letter to the C.-C. is forwarded.

17/9/41

17/9/41 For personal reference

G.17/9.

General Kelly

To the G/18/9

2 Issued to the C.C.M.S.T.

No. G. 2867 d. 18.9.1941

Copy to the Legislative Secy. for incorporating with the file the amendments & to take action to have the Act printed with the amendments.

file record back for reference in the Legislative Secy.

19/12

The administrative Sanction has been accorded to the amendment of Section 36. This is, however, a Council matter and the file has not been circulated among the members of the Council and the proposed amendment has not also been received the assent of His Highness the Maharaja. In the absence of these necessary formalities, the amendment has not the force of Law and cannot be deemed to become operative I would therefore suggest that we may

NOTE—Contn. Sheet.

WD 03967—GPB—5,000—30-8-41

Proceedings of a Court Martial

File No. P 33/RE of 194

General and Revenue Secretariat

DEWAN'S OFFICE 5 MAR. 1942 No. 7602

Take further action from the point where it was left viz. the file may be circulated among the Council of Ministers and the assent of His Highness to the amendment obtained in due course

BKR 5.3.42

(Law Secy)

This is a Council matter and may be disposed of by circulation.

Dewan) Hm 2 5/3/42

this Gen Secy) Hm 5/3

BKR 5.3.42

Hm 6/3/42

For favour of circulation

Chief Secy) Hm 2 6/3/42

n/c BKR 6.3.42

Rec'd on 10/3/42 with a note.

CHIEF SECRETARY 6 - MAR. 1942 GOVT. OF MYSORE

Submitted vide circulation memo

Rz 10/3/42 Secy

For Disposal by Circulation.

No. C. 795

of 1941-42

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Amendment to Section 36 of the Mysore Military Act.

Circulated to the Council of Ministers.

By Order,

M. S. [illegible]
11/3

10th March 1942. *Chief Secretary to Government.*

Minister for Finance and Revenue. [illegible]

Minister for Law. [illegible]
11-3-42

Minister for Education. [illegible]
11.3.42

Minister for Local Self-Government and Public Health. [illegible]
11.3.42

Law Secy.
(with compliments)

13/3

Please put up a D.F.N

BCR
13.3.42

Secy 14.3

Secy see 16/3/42

1343

Amendment of Section 36 of the Mysore Mtn Act.

General and Revenue Secretariat | File No. Mtn of 194 | [App. F. III-2

Serial No.

8420

Typed W.S.N. is put up

GENERAL SECRETARY. 23 MAR. 1942

5646

W D.S.N. as put up

18/3 (Encl.) 18.3

It is ascertained over the phone from the C.C's Office that the term "on service" means duty outside the lines & parade ground - such as civil defence & internal security and that the words "in time of war" would include during that period the training units. Resubd

25/3 (Encl.) 25/3

GENERAL SECRETARY. 25 MAR. 1942

5710

Move

Please keep a clean copy before submission

W.S.

30 To appl.

(Encl.) 26/3

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

Submitted to His Highness.

Paragraph 36 of the Mysore Military Act indicates the procedure to be observed for the assembling and composition of courts-martial "on service". The term "on service" includes duty outside the lines and parade ground, such as, civil defence and internal security. The Chief Commandant Mysore State Troops, stated in September 1941 that the term "on service" could not be applied to a Training Unit and proposed that the words "and in time of war" be added after the term "on service" so as to make it applicable to such units also. He proposed also that the words "as amended from time to time" be added at the end of the first sentence of paragraph 36 of the Mysore Military Act.

The Chief Commandant's proposals have been accepted. The first sentence of paragraph 36 of the Act, as now amended, reads as follows:-

" The procedure to be observed for the assembling and composition of courts martial on service and in time of war will be the same as that laid down in the Indian Army Act 1911 as amended from time to time. "

I solicit His Highness's gracious approval of this action which has the concurrence of the Ministers.

M. Visvesvaraya

Bangalore,
30th March 1942.

D E W A N.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Amendment of paragraph 36 of the Mysore Military Act.

Order.

T
VRW.
3/4/'42.

No. 773.

Chief Secy
RM
6/4/42

16/4

General and Revenue

Secretariat.

lgm 13.4.3

c795

SUBJECT:—

33 Amendment of paragraph 36 of the Mysore Military Act.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or ndications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/~~after~~ issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules for the conduct of business of Council in the Mysore Government Business Rules.) (*)

16/4

Chief Secretary to Government.

Through the Secretary to Government,

General ...~~Law~~.....Department.

17/4

6208 / 17.4.42 — Minister for Finance and Revenue. 17.4

10844 / 17.4 — Minister for Law. 17/4

5528 / 20.4.42 — Minister for Education.

65-40 / 21.4.42 — Minister for Local Self-Govt. and Public Health. 21.4.42

General Secy.
(with compliments)

NOTE.—Contn. sheet

WD 06360—GPB—500—23-3-42

22/4

23/4

Mily 112—41—1

C. C. O. 1.]

Telephone No. { 2442 (office) 2662 (table)

Telegr. Address : STATROOPS

MYSORE STATE TROOPS.

D Com 1343
Rec'd at 12-15 pm on 10/9/41.

No. PC. 322/41-2/Gre one

OFFICE OF THE CHIEF COMMANDANT,

Bangalore, dated ....9th..September 1941

GEN. & REV. SECTT. 10 SEP. 1941 GEN. M.

GENERAL SECRETARY. 9 SEP. 1941

FROM

COL. M. D. VIGORS, D.S.O., M.C.,
Chief Commandant,
Mysore State Troops, Bangalore.

To

The General Secretary
to the Government of His Highness
the Maharaja of Mysore, B a n g a l o r e.

SIR,

I have the honour to forward herewith in original proceedings of a Summary Court Martial held under my orders by the Officer Commanding, 2nd Mysore Infantry Training Company, on the 23rd August, 1941, for the trial of recruit Sreeramulu Naidu, for desertion.

In this connection, I wish to state that there is no specific provision in the Mysore Military Act for trial of persons by Summary Court Martial, as in the Indian Army Act, Sections 74, 75 and 76. But section 36, Mysore Military Act para 2, lays down that "in times of peace, the rules prescribed in the Manual of Indian Military Law and Regulations for the Army in India under a 'Court Martial' may be taken as a guide for the procedure of Court Martial where not otherwise provided for in the Mysore Military Act". The above Court Martial was held under the above general provision.

3 The wording of this para is vague. These are not "times of peace" and the first sentence of section 36 as worded at present is applicable only to Courts Martial "on service" and the term "on service" cannot be applied to a Training Unit.

I therefore should suggest that to the first sentence of section 36 after the words "on service", the words "and in time of War" be added. The sentence with this addition will now be

read as below:

> "The procedure to be observed for assembling and composition of Courts Martial on service and in time of War will be the same as that laid down in the Indian Army Act, 1911".

5 The words "as amended from time to time" may also be added at the end of this sentence.

6 Another point which needs clarification is whether I can exercise the powers of a Brigade Commander or the prescribed officer as in section 102 of Indian Army Act in reviewing and confirming the sentences passed by a Summary Court Martial or should I send each proceedings with my orders thereon for confirmation by Government as required in section 63 of the Mysore Military Act.

7 The proceedings may please be returned after formal confirmation by Government, as early as possible, as on the 20th September I have to review this case and decide whether the prisoner has to be awarded the full sentence of 3 months or merits a remission.

I have the honour to be,
Sir,
Your most obedient servant,

M. Vigne. Col.,
Chief Commandant,
Mysore State Troops.

Appendix F G—1]

SUBJECT.....

.....

.....

Diary No. of letter replied to 1343

General and Revenue Secretariat

( )

the 19

Date of issue 1/9/41 P. & D.

Signed by Mr. C.S.R.C

List of enclosures.....

Copied by .....

Examined by.....

Section Daily

File No. 112 — 41

Serial No. 2

No. G. 2867/Misc.

To

The C. C. M. S. T.

Sir,

With refce to your letter No. P. C. 322/41 dated the 9th Sept. 1941 forwarding for confirmation by GOC, proceedings of a Summary Court Martial held by the Officer Commanding, 2nd Mysore Infantry Training Company on the 23rd August 1941, for the Trial of recruit Sreeramulu Naidu for desertion and your orders thereon, I am directed to observe that the C. C. has no power under the Mysore

Military Act to confirm or vary the Sentence passed by a Commanding Officer in Court Martial proceedings even though the trial be Summary; that he can only recommend to Govt under ~~rule 30~~ Section 34 ✕ of the Act for confirmation or reduction of the Sentence & that it is the Govt who can either confirm or reduce the Sentence under ~~rule~~ Section 64 ✕ of the Act.

I am, however, to state that, in respect of the case under reference, your action in having reduced the Sentence passed by the Court has been construed as your recommn to Govt under ~~rule~~ Section 34 of the Act and to convey Govt's confirmation ~~by Govt~~ of the proceedings of the Court Martial ~~vide~~ & the reduction of the Sentence as recommended by you. ~~His Majesty's~~ accused ~~Sree Ramulu~~ will undergo

✕ original nos.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*

I am also to convey approval of Govt to the amendments proposed by you to the first Sentence of Section 36 of the Mysore Military Act. The Sentence as re-constituted is indicated in the margin and will be incorporated in the Act.

As regards the clarification of the point raised at para 6 of your letter viz whether the C.C. can exercise or not the powers of a Brigade Commander or the prescribed Officer as in Section 102 of the Indian Army Act in reviewing & confirming the Sentences passed by a Summary Court Martial, I am to state that the C.C. cannot exercise such powers until the Mysore Military Act is amended in this respect.

[The procedure to be observed for assembling and composition of Courts Martial on Service and in time of war will be the same as that laid down in the Indian Army Act, 1911 as amended from time to time.]

WD 0186—GPB—15,000—6-9-34

The proceedings of the Summary Court Martial received with your letter are herewith returned.

I have etc.

A.G. Genl. Secy. to Govt.

G.2868/Ests/1 file.

Copy is ~~forwarded~~ to the Legislative Section with file for incorporating the amendments in the Militia Act and for taking action to have the Act printed with the original and the present amendments ~~as no action has yet been taken in this respect though~~ as directed in para 4 of the G.O. No. G.10126 Militia 174-39-2 d. 4-6-1940 copy of which was sent to that Sect in June 1940.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat.

No. G. 2867/M/Z 112-41-2 Dated, Bangalore, 18th September, 1941

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore.
General Department

To

The Chief Commandant,
Mysore State Troops,
Bangalore.

Sir,

With reference to your letter No.I.C.322/41 dated the 9th September 1941 forwarding for confirmation by Government, proceedings of a summary court martial held by the Officer Commanding, 2nd Mysore Infantry Training Company on the 23rd August 1941, for the trial of recruit Sreeramulu Naidu for desertion and your orders thereon, I am directed to observe that the Chief Commandant has no power under the Mysore Military Act to confirm or vary the sentence passed by a Commanding Officer in Court Martial proceedings even though the ~~trial~~ trial be summary, that he can only recommend to Government under Section 34 of the Act for confirmation or reduction of the sentence and that it is the Government who can either confirm or reduce the sentence under Section 64 of the Act.

I am, however, to state that in respect of the case under reference your action in having reduced the sentence passed by the Court has been construed as your recommendation to Government under Section 34 of the Act and to convey Governments' confirmation of the proceedings of the Court Martial and of the reduction of the sentence as recommended by you.

I am also to convey approval of Government to the amendments proposed by you to the first sentence of Section 36 of the Mysore Military Act. The sentence as reconstructed is indicated in the *margin and will be incorporated in the Act.

*36 The procedure to be observed for assembling and composition of Courts Martial on service and in time of war will be the same as that laid down in the Indian Army Act, 1911 as amended from time to time.

As regards the clarification of the point raised at para 6 of your letter viz., whether the Chief Commandant can exercise or not the powers of a Brigade Commander or the prescribed Officer as in Section 102 of the Indian Army Act in reviewing and confirming the sentences passed by a Summary Court Martial, I am to state that the Chief Commandant cannot exercise such powers until the Mysore Military Act is amended in this respect.

The proceedings of the Summary Court Martial received with your letter are herewith returned.

I have the honour to be,

S i r,

Your most obedient servant,

Sd/- J. Appaji Gowda.

Secretary to Government
General Department

G.2868/Ml/Fdc.

Copy is forwarded to the Legislative Section with file for incorporating the amendments in the Military Act and for taking action to have the Act printed with the original and the present amendments as directed in para 4 of the Government Order No.G.10126 Mily.174-39-2 dated 4th June 1940. Copy of which was sent to that Section in June 1940.

C. P. Srinivasa Char

For Secretary to Government
General Department

HDA.4.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat.

No. G 2867/Mly 112-41-2 *Dated, Bangalore,* 18th September 1941

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore.
General Department

To

The Chief Commandant,
Mysore State Troops,
Bangalore.

Sir,

With reference to your letter No.F.C.322/41 dated the 9th September 1941 forwarding for confirmation by Government, proceedings of a summary court martial held by the Officer Commanding, 2nd Mysore Infantry Training Company on the 23rd August 1941, for the trial of recruit Sreeramulu Naidu for desertion and your orders thereon, I am directed to observe that the Chief Commandant has no power under the Mysore Military Act to confirm or vary the sentence passed by a Commanding Officer in Court Martial proceedings even though the trial be summary, that he can only recommend to Government under Section 34 of the Act for confirmation or reduction of the sentence and that it is the Government who can either confirm or reduce the sentence under Section 64 of the Act.

2. I am, however, to state that in respect of the case under reference your action in having reduced the sentence passed by the Court has been construed as your recommendation to Government under Section 34 of the Act and to convey Governments' confirmation of the proceedings of the Court Martial and of the reduction of the sentence as recommended by you.

3. I am also to convey approval of Government to the amendments proposed by you to the first sente

* The procedure to be observed for assembling and composition of Courts Martial on service and in time of war will be the same as that laid down in the Indian Army Act, 1911 as amended from time to time.

of Section 36 of the Mysore Military Act. The sentence as reconstructe is indicated in the *margin and will be incorporated in the Act.

4 As regards the clarification of the point raised at para 6 of your letter viz., whether the Chief Commandant can exercise or not the powers of a Brigade Commander or the prescribed Officer as in Section 102 of the Indian Army Act in reviewing and confirming the sentences passed by a Summary Court Martial, I am to state that the Chief Commandant cannot exercise such powers until the Mysore Military Act is amended in this respect.

5 The proceedings of the Summary Court Martial received with your letter are herewith returned.

I have the honour to be,

S i r,

Your most obedient servant,

Sd/- J. Appaji Gowda.

Secretary to Government
General Department

G. 2868/41/17dc

Copy is forwarded to the Legislative Section with file for incorporating the amendments in the Military Act and for taking action to have the Act printed with the original and the present amendments as directed in para 4 of the Government Order No.G.10126 Mily.174-39-2 dated 4th June 1940, Copy of which was sent to that Section in June 1940.

For Secretary to Government
General Department

HDA.4.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

RL 2375-76

Order No. Encl one. Legis 52-41-1

Dated, Bangalore, 27th April 1942

Ordered that the accompanying Act further to amend The Mysore Military Act, 1899

which received the assent of His Highness the Maharaja, on the 3rd day of April 1942, be published as Act No. XX of 1942, in the *Mysore Gazette*, for general information.

BKR 27.4.42

Hm 2 27/4/42

General Secretary to Government.

Law Department

BKR 27/4

To

The Compiler, *Mysore Gazette*, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies in English and Kannada, as per standing orders.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Order No. Legis 52-41-1 Dated, Bangalore, 27th April 1942

Ordered that the accompanying Act further to amend the Mysore Military Act, 1899

which received the assent of His Highness the Maharaja, on the 3rd day of April 1942, be published as Act No. XX of 1942, in the *Mysore Gazette*, for general information.

27/4/42

General Secretary to Government.
Law Department

To

The Compiler, *Mysore Gazette*, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies in English and Kannada, as per standing orders.

To the Translation Section

ACT NO. XX OF 1942.

THE MYSORE MILITARY (second amendment) ACT, 1942.

(Received the assent of His Highness the Maharaja on the 3rd day of April 1942.)

WHEREAS it is expedient further to amend the Mysore Military Act, 1899;

NOW THEREFORE in exercise of the powers conferred by section 80 of the Government of Mysore Act, 1940, (XVIII of 1940);

It is hereby enacted as follows:-

Short title and commencement.

1 (1). This Act may be called the Mysore Military (second amendment) Act, 1942;

(2). It shall come into force at once;

Substitution of a new sentence for the first sentence of paragraph 86.

2. For the first sentence of paragraph 86 of the Mysore Military Act, 1899, the following sentence shall be substituted, namely.-

"The procedure to be observed for the assembling and composition of Courts martial on service and in time of war will be the same as that laid down in the Indian Army Act, 1911, as amended from time to time."

Sd. N. Madhava Rau,

Dewan.

HKR/6.

NOTIFICATION.

Order No. R. L. 2375-76—*Legis.* 52-41-1, *dated Bangalore, the* 27*th April* 1942.

Ordered that the accompanying Act further to amend the Mysore Military Act, 1899, which received the assent of His Highness the Maharaja, on the 3rd day of April 1942, be published as Act No. XX of 1942, in the *Mysore Gazette*, for general information.

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

ACT No. XX OF 1942.

The Mysore Military (second amendment) Act, 1942.

(*Received the assent of His Highness the Maharaja on the* 3*rd day of April* 1942.)

WHEREAS it is expedient further to amend the Iysore Military Act, 1899;

NOW THEREFORE in exercise of the powers con-rred by section 30 of the Government of Mysore Act, 940 (XVIII of 1940); it is hereby enacted as follows:—

Short title and commencement

1. (1) This Act may be called the Mysore Military econd amendment) Act, 1942;

(2) It shall come into force at once.

Substitution of a new sentence for the first sentence of paragraph 36.

2. For the first sentence of paragraph 36 of the ysore Military Act, 1899, the following sentence shall substituted, namely:—

"The procedure to be observed for the assembling id composition of Courts martial on service and in time war will be the same as that laid down in the Indian rmy Act, 1911, as amended from time to time."

N. MADHAVA RAU,
Dewan.

Price: 0-0-3

Printed by the Superintendent at the Government Press, Bangalore.